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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,960	01/21/2004	Javier Arguelles	1890-0020	6360
7590 05/16/2005 Maginot, Moore & Beck Bank One Tower Suite 3000 111 Monument Circle Indianapolis, IN 46204			EXAMINER NGUYEN, KHAI M	
			ART UNIT 2819	PAPER NUMBER
DATE MAILED: 05/16/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/762,960

Applicant(s)

ARGUELLES, JAVIER

Examiner

Khai M. Nguyen

Art Unit

2819

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-19 is/are allowed.
- 6) ☒ Claim(s) 8,9 and 13-15 is/are rejected.
- 7) ☒ Claim(s) 10-12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/21/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The application has not been checked to the extent necessary to determine the presence of all possible typographical and grammatical errors. However, Applicant's cooperation is requested in correcting any errors of which he/she may become aware in the application.
2. Sub-headings of the specification are missing (i.e.: background of the invention, summary of the invention, brief description of the drawings, and detailed description of the drawings). Correction is required (see chapter 600 of MPEP, section 601).

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 8-9, and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Kearney et al. (US 5,631,602) (hereinafter referred to as '**Kearney**').

Regarding claim 8, Kearney discloses the arrangement of claim 8, including an analog amplifier (38) having an input port (40,42) for receiving a first signal and a test input port (52) for receiving test signal (VT), a control input port (54, 56), and an output port (44), the analog amplifier responsive to a first and a second condition (normal operation mode or test mode) present at the control input port, such that when the first

Art Unit: 2819

condition is present (when VT is set to a logic low or switches SA and SB are open) at the control port, the output port is operatively connected to the input port and when the second condition is present (when VT is changed to a logic high) at the control input port, the output port (54) is operably connected to the test input port (see Fig. 6 and column 4, lines 35-45).

Regarding claim 9, Kearney discloses the first condition present at the control input port is a first control signal (the signal that sets VT to the logic low); and the second condition present at the control input port is a second control signal (when SA/SB are turned on).

Regarding claim 13, Kearney discloses the analog amplifier (38) is a fully differential amplifier (column 4, line 47).

Regarding claims 14-15, Kearney discloses the test input port for receiving a test signal, which is provided from a test signal source or generator (Figs. 5-6).

#### ***Allowable Subject Matter***

4. Claims 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 16-19 are allowed.

#### ***Prior Art***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see the attached PTO-892).

Art Unit: 2819

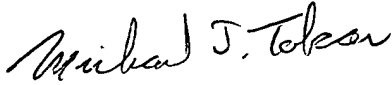
**Contact Information**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 571-272-1809. The examiner can normally be reached on 8:30 to 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J Tokar can be reached on 571-272-1812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KN  
May 3, 2005

  
Michael Tokar  
Supervisory Patent Examiner  
Technology Center 2800